

PATENT  
Attorney Docket No. 02610.0044-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Nobuhisa MIYAKE et al. ) Group Art Unit: 1626  
Application No.: 10/522,754 ) Examiner: Rei Tsang Shiao  
Filed: January 28, 2005 )  
For: PROCESS FOR PRODUCING ) Confirmation No.: 9339  
CARBONIC ESTER )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Assignee, Asahi Kasei Chemicals Corporation, duly organized under the laws of Japan and having its principal place of business at 1-2, Yuraku-Cho 1-Chome, Chiyoda-Ku, Tokyo, 100-8440, Japan, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Application No. 10/522,754, filed January 28, 2005 for Process for Producing Carbonic Ester in the names of Nobuhisa Miyake and Tomonari Watanabe, as indicated by assignments duly recorded in the United States Patent and Trademark Office at Reel 016805, Frame 0554 on January 28, 2005. Assignee, Asahi Kasei Chemicals Corporation, further represents that it is the assignee of the entire right, title, and interest in and to U.S. Patent Application No. 10/495,451, as indicated by assignments duly recorded in the United States Patent and Trademark Office at Reel 016061, Frame 0641 on May 13, 2004.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Application No. 10/495,451. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent application, as presently shortened by any terminal disclaimer, in the event that the prior patent application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated before the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please

charge the fees to Deposit Account 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 28, 2008

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